G. R. S. IX-5]

Previous references.

1874

~~191~~

(Local Boards)

LB. File No. 2/14

Serial Nos. 1-2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-3

Majm Part B for

SUBJECT.

Ferry tax under Govt management.

Sd. Narasimhan 12.6.17

W D 88—GPB—50.000—24-7-18

J. W. Hall

CHIEF SECRETARY'S OFFICE.

REVENUE BRANCH.

D82-74

SUBJECT.

OFFICE NOTE.

In regard to the complaint of Vedanta Ramanujachar, Inamdar of Hemmigé in the Tirumakudlu Narsipur Taluk against the Amildar's order for taking over under the Govt management, the ferry contract of that village.

LAST REFERENCE.

× Sl: no 4.

Letter No. 155 dated 12th August 1893 from the Dy: Commr, Mysore District

The Inamdar Vedanta Ramanujachar above referred to petitioned the Dy: Commr on 6th December 1892, praying that the right to the Ferry in the goodi village of Hemmigé, which had been in his ancestor's enjoyment for a long time, but which was taken over under Govt management in 1879, might be transferred to him.

2. The grounds on which the petitioner claims the

right in question are as follow:——

(1) He states that as per Samad × of 23d October 1814 Serial No. 3.
of Aswiuja Sudda Dasami of the year Bhava, which directs that the item of "Maddika" mentioned in the Maddikada Patty produced by the Agrahar people as ceded to his ancestors, be treated as Sawamanyam, the "Harigol Gutta" belongs to him. (× Jenny Contract)

Note. The Samad referred to by the Petr is the Nirup from H.H. the late Maharaja to Amildar Madhu Rao of Talkad. This was issued Subsequent to the grant of the Samad of Bhadrapada Balula Dasami of the year Bhava to the Petrs ancestors. Out of 35 vrittis of Hemmige Agrahar of the late Talkad Taluk, an extent of land, viz 6 vrittis, measuring 13 and odd Kandics and paying a revenue of 60 and odd Pagodas was Govt property. This Samad (Subsequent

granted the said 6¼ vrittis to the Petrs grandfather Vedanta Rangeingar. It also granted the right to such an extent of "Maddikada Bhumi" as belonged to the 6¼ vrittis. In the copy of the Nirup to Amildar Madhu Rao, it is stated that as per detailed Patty showing the "Maddi-kada Huttuvali" &c, produced by the Agraha-people, the "maddika" &c belonging to the 6¼ vrittis granted to Rangachar, should be treated as Sarva-manyam. The maddikada Patty produced by the Petr is stated to have been taken back by him. The Petr has filed a copy of the same, which is an agreement executed by the Agrahar people in favour Rangachar, transferring certain land, &c, as "Maddika" belonging to 6¼ vrittis referred to above

× Land in the common enjoyment of the Vrittidars.

× Q Aswejja Suddha Dasami of the year Bhava (1814) (vide enclosure to Serial no. 4.)

Harigol gutta" (Ferry) is mentioned to be one of the items of revenue. The 3d General Assistant Commr., Mysore distt: explains the term "Maddika" to mean minor items of collection common to, and divisible among, all the Inamdars, and says that "Harigol gutta" seems to be one of the items of Maddika.

vide his letter no. 94 of 26th Novr 1892 to the Dy: Comms: in the ver: papers. (Enclosure to Serial no. 4)

(2). The Petr states that at the Jamabandy by the late Division Commr, he sent for the village accounts, in which his ancestors have stated the Harigôl Bâb to have been in their enjoyment for a long time, and in accordance therewith decided in the "Talaband" that the bâb belonged to them.

Note:- The accounts referred to by the Petr are the village Kulvar Huttuvali accounts furnished by his ancestors at the Division Jamabandy,

(copy filed by the Petr) (Enclosure to Serial no. 4)

in which Rs. 1-8-0 is shown as "Harigôl Kandaya".

(3). He states that in the Amildar's Takid No. 295 of 7th September 1876, Harigôl bâb is stated to have been in the enjoyment of the Manyadars for a long time.

Note:- The Petr has produced a ×copy of the Amildar's Takid above referred to, which says as follows:—

"It is clear that one Ferry has been in the enjoyment of Manyadars, but their right to the same cannot be summarily decided. However, as they are responsible for the case of the Ferry, they may have one Ferry of their own," there being another Ferry belonging to Govt, and the 3d one should be put a stop to. Those who claim to have a 3d one, should establish their right to the same in a Civil Court."

× vide enclosure to Serial No. 4.

(4). The petitioner states

that in 1879 the Amildar submitted to the Dy: Commr: a Pôta Pôti Statement regarding the Ferry Contract wherein it is stated that if Manyadars be dispossessed of their right to the Ferry, the revenue therefrom would be increased. (An authenticated copy of the Statement has been filed by him).

(5). He alleges that on the 19th April 1889 certain vittidars of the Hemmigé village executed a mahazar in his favor, ~~xxxxxxx~~ which ~~xxxx~~ proves that the bâb properly belongs to him, as it was in the enjoyment of his ancestors for a long time.

Note. The petitioner has filed a copy+ of the Mahazar, which says as follows:- "we are well aware that the "Harigol Bâb" transfered to your grandfather by our elders as "maddika" belonging to 6¼ vittes,

+ vide enclosure to Serial no. 4

was in your ancestor's enjoy-ment.

(6.) He states that the Ferry lease bond executed by the lessees in favour of his ancestors proves that the bâb belongs to him.

Note:- He has filed a copy of the lease bond, wherefrom it appears that in 1876 the Petri's ancestors leased out the Ferry for 10 years at an annual putta of Rs. 10.

7). He states that as the amount realized from the Harigôl bâb belongs to him, it is held in deposit

Note. The amount realized by the Sale of the Ferry from 1879 to 1892-93 is shown as Rs. 215-12-0 which is reported to have been credited to Govt.

(8) He states that the revenue from the Ferry on the opposite side of the village

X vide Enclosure to Serial no. 4.

	Rs.	As.	
In 1879-80	5	"	"
" 1883-84	5	4	0
" 1884-85	5	4	0
" 1885-86	6	8	0
" 1886-87	31	4	0
" 1887-88	30	0	0
" 1888-89	20	0	0
" 1889-90	14	0	0
" 1890-91	18	0	0
" 1891-92	40	8	0
" 1892-93	40	0	0
Total Rs.	215	12	0

being credited to Govt from a long time.

Note. The Asstt. Commr explains that the right to the Ferry from the Hemmige side of the village to the opposite bank towards Talkad is what is now claimed by the Petr, that this side of the bank belongs to the Gowdi village, while the opposite bank on the Talkad side belongs to Govt, and that the right to the Ferry on the Talkad side is sold annually & the proceeds credited to Govt.

vide his letter No. 94 of 26th Novr 1892 to the Dy Comr in the Ver. papers. (Vide enclosure to Serial no. 4)

Nr Hemmige

(9) The Petr states that in the Dy: Commrs letter No 902 of 9th December 1874 the bâb is stated to be Inam, that in another letter of his of 28th May 1879 he suggests the bâb being taken over to Govt, half of the revenue therefrom being paid to Manyadaru, & that therefore the bâb

belongs to the Inam.

Note:- In 1874 the late Chief Commr. proposed for adoption a uniform rate of the fees to be charged by the Ferry Contractors for conveying passengers across rivers, and called for a report as to its Suitableness, and also for a classified list of Ferries in each Division.

vide Chief Commr's Circular No. 1891 & R.24 12th June 1874 in the Ver: papers. (Enclosure to Sl: No 4)

In the report submitted by the Dy: Commr., the Ferry in the Hemmigé village is stated to be Inam along with other Ferries. It is also stated in the report that a regular enquiry should be made thro' the Inam Commr. regarding the titles of private individuals in possession of these ferries, as most of them may be challenged, and that if it be not resumed, the

vide Dy: Commr's letter No. 902 & 9 Dec. 1874 in the ver: papers. (Enclosure to Sl. No. 4)

the proprietors may be required to charge the same rates as on Govt. Ferries.

(10). The Petitioner states that the Local Fund Committee has decided that the bâb belongs to the Mangadars & that half the revenue should be paid to the Inamdar, and that ~~[illegible]~~ he has been having every year local Fund, in accordance with the beriz of the Samad, and also on the Ferry bâb, and that therefore the bâb should be made over to ~~him~~ him.

Note:- An order issued by the late Chief Commr. directs that the receipts from Ferries should be credited to the District Funds, the ferry-men or contractors being appointed by the

Ⓧ vide Chief Commr's Pro:- No. 1851 R.4 dt 3rd June 1875 separately put up - (Sl: No. 1)

Fund Committee, and that where these receipts or any fixed portion thereof have been enjoyed as Inam by temples, or mutts, or individuals, the authority for such privilege should be investigated, and that where such authority or a prescriptive right extending over 20 or 30 years has been exclusively enjoyed, the amount where such has been fixed or otherwise the average income so derived should be assigned to the Inam & paid from the District Funds.

3. In the year 1879 the right to the Ferry in question is stated to have been sold by the Amildar The authority under which he did so is not clear. However the Assistant Commr presumes that the Amildar may have sold the Ferry in consequence of an order issued in 1879 directing

the introduction of a uniform Scale of fees for ferrying over passengers, whereas no Such order appears to have been issued in that year. But there is an order* issued by the late Chief Commr. prescribing for the Nandydoorg and Ashtagram Divisions, the rates to be charged by the Ferry Contractors and others for conveying passengers &c across Streams. The Assistant Commr reports that there is nothing on Govt record to Show that the Ferry in the Jodi village was ever under Govt management prior to the year 1879, & that the Inamdars were exercising their right of ownership by leasing out the Ferry Contract till 1879. He further Says that in page 63 of a Palm* leaf book relating to this Inam village, preserved in the Taluk records the receipts from ferries

* Vide Progs: No. 1851 / R 4 dt 3d June 1875 Separately put up. (SL: no. 1)

* Note. This book has not been received with the ver: papers.

are shown in favor of the Inam village, and that the right to the ferry in question should be reconveyed to the Inamdar, as Govt have no claim to it. The Dy: Commr supports the Asstt: Commr's recommendation and proposes to refund to the Inamdar the amount realized from the Ferry, viz, Rs. 215-12-0, and credit to Govt, and to make over the exercise of the right to him in future.

4. From the authenticated Inamti Patti of the the late Talkad Taluk relating to the year from Siddharti to Parthiva, which was obtained from the office Ver: Records, and extract from which is herewith submitted for perusal, a doubt arises as to whether the Petitioner is really entitled to the right claimed by him and also to the refund recommended by the Dy: Commr because

Please see the ~~[illegible]~~ extract put up (Sl: No. 2)

no mention is therein made of the kuttuvali from the Ferry bâb being enjoyed by the Inamdars, while other items of revenue, viz, Shendi, are shown to have been enjoyed by them. Nor any mention is made of "Maddika-da Bhumi" or "Maddika" referred to in the Samadh Nirup respectively.

Submitted for orders.

The burden of proving by clear & independent testimony that the ferry belongs to the Petitioner is still on him. The original Samadh, and the palm leaf book referred to by the Gen^{l}. Asst: Comr: have not been sent up. They remain to be compared with the authenticated account Patty obtained from the Records of this Office.

10/1/94

And the Complaint

& the Deputy Comm^{r} in 1892 against Achin which was first taken in 1879 (13 years previously) & has been taken year after year since —

Rd for Decision Orders

3/5 —

5/5/94

Kirkee 9th Novr 1814

To Madhoorao, Amil
-dar of Sosale Talluk.

It appears that you are demanding as sort. dues taxes according to 13½ Hawas from the parties (Kulas) concerned in the Vritti in the Hemmiji Agrahar of this Talluk which belongs to sort, but has been freely (ಸ್ವತಂತ್ರವಾಗಿ ಬಿಟ್ಟ ಹಾಗೆ) made over to Ranga Samukhada Chari, Pandit (ಪಂಡಿತ) of the Srivaishna The said 13½ Hawas due from these Kulas in this Vritti (lit. land) has been made over (Excused) to this Vrittidar

Todry merchant - Varaha Hawans 8 — 4

Taxes on Red Cotton 4 — 3
Thread — 0¾
Potters tax 0 — 1¾
Dhobys tax

Total 13½

And they will be ~~collected~~ recovered
by the Vrittidars Renegachas
and you need not
demand this item from
these Kulas as Govern-
ment dues.

GOVERNMENT OF MYSORE

Translation of
Copy of Bhudana Shasana
of 10th day of the dark
fortnight of Nija Bhadra
Pada of the year Bhava

Out of the 35 Vrittis
in the Heremuje Agrahar
in Talkad, the remainder
after excluding those alrea
in the Enjoyment of others,
Viz 6¼ Vrittis which belong
to Sarkar, having a Beejvari of
13 odd Kandis — the Assess
ment thereon & the Kula
Theriji and other taxes
pertaining thereto
amounting to 60 Varahas
& 7½ Hanas have been
remitted. The one ¼ Vritti
of land & the Sudra Kulas,
Brahmin & Sudra Ryots
pertaining thereto
& the Nadirkada Bhumi,
Coppeira Mota, Thippe
Halla attached to the
Vritti have been freely made
over to you

1 87

NB 2-74-1

Letter No 81 d/ 18 July 1874
from the Comr Nundydroog Dvn.
Letter No 79/10 d/30 April 1875
from the Comr Ashtapram Dvn

Rec'd

No 1857 of 23 June
R 4

Order thereon.

The Offg Chief Comr is pleased to prescribe for the Nundydroog and Ashtapram Divisions the rates to be charged by ferry contractors and others for conveying vehicles, passengers &c across streams, ~~by~~ according to the scale sanctioned for the Nagar Divn in Secy's letter No 1888/31 d/12 June 1874 as shown in the margin.

2 The adoption of these rates according to the classification adopted

Description	Rates of ferry fares.			
	At forces of 4 Bullocks	At forces of 2 Bullocks	At forces of 1 Bullock	
Four-wheeled carriages — each	12 — "	8 — "	6 — "	6 — "
Two-wheeled carriages or spring-cars — each	8 — "	6 — "	4 — "	3 — "
Bullock carts with or without springs — "	8 — "	6 — "	4 — "	3 — "
Bullocks do — "	5 — "	4 — "	3 — "	2 — "
Unladen horses, horned cattle & mules — "	3 — "	2 — "	1 — "	1 — "
Horses laden or unladen "	3 — "	2 — "	1 — "	" — 6
Bullocks laden, horned cattle, mules "	2 — "	1 — "	" — 6	" — 6
Asses laden or unladen "	1 — "	1 — "	" — 6	" — 6
Camels laden or unladen "	4 — "	3 — "	2 — "	2 — "
Sheep and goats "	" — 3	" — 3	" — 1	" — 1
Palanquins with kahars (4 bearers) "	12 — "	8 — "	8 — "	4 — "
Tonjons or hatchies with kahars "	6 — "	4 — "	4 — "	2 — "
Passengers other than cattle drivers "	1 — "	" — 6	" — 3	" — 3

on that scale, would be left
to the District Fund Committee,
who should be guided in
this matter, not, as suggested
by the Dr Court of Mysore,
by the width of the rivers,
but by the class of the
road on which the ferry
is situated, and, by the
Extent of traffic upon the
ferry boats plying
between villages on opposite
banks, where there is
no line of road, should
not be interfered with.

3. The receipts from
ferries on lines of road
whether Imperial
or Local, should be credited
to District Funds,
the percentage of Contractors
being apportioned by the
Dist. Fund Committee,

and subject to all rules
& ~~Orders~~ Control. Where there
receipts or any fixed
portion of them have
been enjoyed as Inams
appertaining to Temples or
Mutts or individuals,
the authority for such
privilege should be
investigated, and where
such authority or a pre-
scriptive right extending
over ~~thirty~~ twenty years has
been exclusively enjoyed
the amount where such
has been fixed, or otherwise
the average income to
be ascertained, should be
assigned to the Inam,
and paid from the
Trust Funds.

4. When there re-
=strictions have been
carried out to effect the
& Courts will subsequently
Report to Govt. Commr. of Rev.
statements & subscri-

the results of the settlement
made in accordance
therewith; and the Statements
~~should be~~ forwarded
~~Exh~~
& the Office for record.

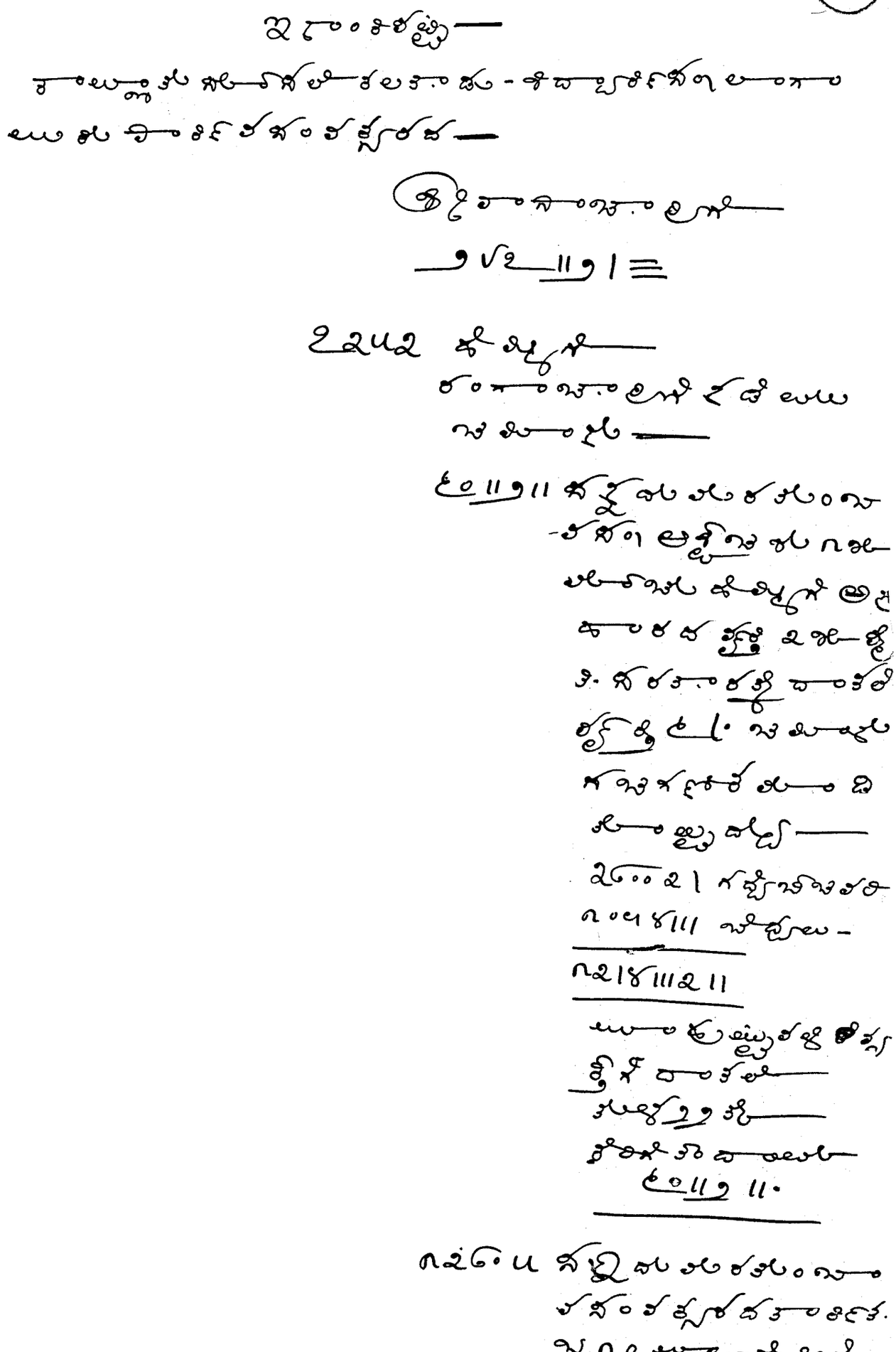
Prest A

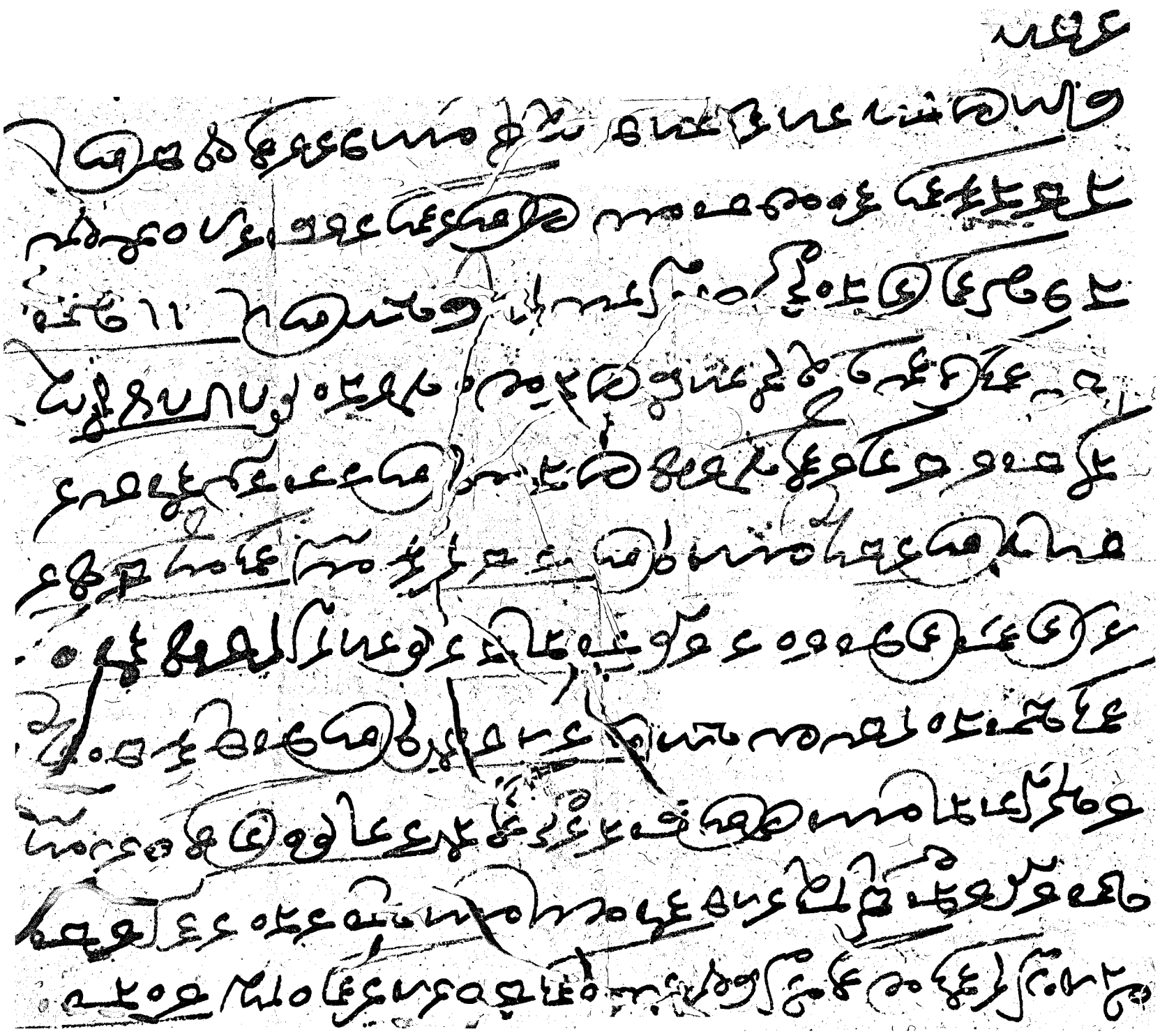
Secretary.

Respectfully
To Comm[r] Ashtapan Dist
To Comm[r] Napa Dist
~~To the Commissioners of Dist~~
~~Dy Collector~~
Dep Comm[r] Bangalore
~~Kolar~~
~~Tumkur~~
" Mysore
" Hassan
~~Dep Collect[r]~~

Extract from the Inamti Patta referred to in the Memo.

(2)





ಕೊಡಲಾಗಿದೆ ಎಂದು ಅಭಿಪ್ರಾಯಪಟ್ಟಿದ್ದಾರೆ.

ಅಲ್ಲಿಂದ ಮುಂದೆ ಸಾಗಿದಾಗ
ಅಲ್ಲಿಯೂ ಸಹ
ಬಿಡಿಸಿ ಹೇಳಿದಾಗ
ಗಂಡ ಹೆಂಡತಿಯರು.
೧೧೧ ಅಕ್ಷರಗಳಿಂದ

(4)

No 155

Mysore Dy Commrs Office
Dated Mysore 12th August 1893

From,

K. Mahammad Ali Esquire
Asst Dy Commissioner

No 1946
R 507

To,

The Chief Secretary to the
Dewan of Mysore

Sir,

I have the honor to submit for orders of Government petition received from Vedanta Ramanujachar, Shanbhar of Hennige, Sirsikodla Narsipur Taluk complaining against the order passed by the amildar for taking over under Government management the Archy of that village and correspondence ending with Sirsikodla Narsipur amildar's report no 753/762 of 5th May 1893 together with 3d General Assistant Commissioner's letter no 94 dated 26th November 1892 and the marginally noted file of correspondence dated

× —

1. Letter no 1891/R 24 of 12-6-74 from the officiating Secretary to the Commr Ashtagram Division.
1. " No 105 of 18-6-74 from Commr Ash: Dy to Dy Commr Hassan & Mysore.

×

from the year 1874.

2. These records show that the Amildar was enjoying the right to the ferry on the Hemmige side, and a statement is annexed in the margin* shewing the revenue derived by him from the ferry till the year 1879 when the management of this revenue of Hemmige was assumed by the Amildar.

X

1 Letter no 407 of 7-8-74 from the Deputy Comm^r Hassan district to the Comm^r Ashtagram Division -
1 " No 902 of 9-12-74 from the Deputy Comm^r Mysore district to Comm^r Ashtagram Division -
1 Circular " No 395 of 29-12-74 from the Comm^r Ashtagram Division to the Deputy Comms Mysore and Hassan with a Classified list of ferries -
1 Draft no 79 of 30-4-75 from the Comm^r Ashtagram Div^n to the Secretary to the Chief Comm^r -
6

	Per annum.
* Before the year 1876 the Amildar was getting	Rs a p 1-8--
In 1876-77	5--
1877-78	5--
1878-79	5--

3. Since the year 1879 the right to use the ferry was sold by the Amildar as other Government ferries and has fetched the sums shewn in the margin amounting to Rs 215-12- for 11 years. This amount is reported to have been credited in the accounts of the Government village of Vadeyarahalli - The ferry on the Talkad side)

1879-80	5--
1883-84	5-4--
1884-85	5-4--
1885-86	6-8--
1886-87	31-4--
1887-88	30--
1888-89	20--
1889-90	14--
1890-91	18--
1891-92	46-8--
1892-93	40--
	215-12

of the river which is the opposite bank has been separately sold annually and the proceeds thereof credited to Government.

4. Under such circumstances I beg to recommend a refund to the Enamdar of the amount realized from the ferry of his Enam village and credited to Government, viz Rs 215-12-0, and the cessation of the exercise of the right to him in future.

I have the honor to be
Sir
Your most obedt servant
J. McLennan
Asst Deputy Commissioner
Mysore District

Cessation

Comd'd.
Ukn.

KB
2-74-3

Jo.

(5)

The D.C. Mysore Dt.

No 9977
R.7.149-93

15.12.94

Calling for complete report with the original documents in the matter of the refund of the revenue realized by Govt. from the Hemmige Ferry in the T. Narsipur Taluk betwn. 1879-80 & 1892-93 to the Mandar Ramanujachar

To The Deputy Commr.
Mysore Distt

The Deputy Commr's letter
No. 155 dated the 12th August
1893, recommending the
refund to the Inamdar
V. Ramanujachar Rs 215/12/
being the collections made
by Govt. at the Hemmige
Ferry, Terumakudlu
Narsipur Taluk bet-
-ween the years 1879-80
and 1892-93.

With reference to the
above I've the honor to
observe that the grounds
on which the refund is
recommended are not
very clear. In the Inamto

No 9977 dt 15-12-94
R.T.149-93/19

Patti (Vide Extract Judgt
with the Ver papers) of
the late Talkad Taluk
relating to the period
from Siddharti to
Parthiva obtained from
the Ver: Records of this Office,
No mention is made of
the Ferry realization, while
other specific items of
revenue are stated. The
Palm leaf Book referred
by the 3rd Genl. Asst Comr.
has not been sent up.
In para 5 of the Dy.
Commrs letter No 902
of the 9th Dec 1874 referred
by the 3rd Genl. Asst Comr.
~~it is stated that~~

regular enquiry into the
titles of the Inamdars to the
ferries is suggested as
most of them could
be challenged. The
burden of proving

Concerned

by clear & independent
testimony that the ferry
belongs to them is still
on the Inamdar, who
seems to have made the
Complaint to the Dy. Com
in 1892 against action
which was first taken
in 1879 (13 years previously).
2 The original Samnads
have not been sent up
The Dy Com. is now
requested to enquire
further into the matter
and submit a Complete
report with his opinion &
with the necessary
original documents
for the final orders of
Govt

BK

15/12/94

for Chf Secy

15/12/94